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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,120	02/19/2004	Tamara L. Coffield	23 - 0547	5384
40158	7590	02/14/2006	EXAMINER	
WOODS FULLER SHULTZ & SMITH P.C. ATTN: JEFFREY A. PROEHL P.O. BOX 5027 SIOUX FALLS, SD 57117			CHIN SHUE, ALVIN C	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/782,120	Applicant(s) COFFIELD ET AL.	
	Examiner Alvin C. Chin-Shue	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date <u>2/19/04</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: ____.</p> |
|---|---|

Claims 4,6 and 11 are objected to because of the following informalities:
the phrases “said leg members” and “said deck member”, as set forth in claim 4,
and “the power supply”, as set forth in claims 6 and 11, lack antecedent basis.
Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102
that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6, 7 and 9 are rejected under 35 U.S.C. 102(b) as being clearly
anticipated by Spadaro.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for
all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Spadaro. To use the assembly of Spadaro on the claimed step ladder, which
the examiner takes official notice as being a standard stepladder construction,
would have been obvious to one of ordinary skill in the art to facilitate storage of
the ladder.

Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spadaro in view of Fawcett. Spadaro shows the claimed ladder with the exception of the claimed lighting assembly. Fawcett shows the claimed lighting assembly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Spadaro with a lighting assembly as taught by, Fawcett, in lieu of his, to illuminate his work area. The examiner takes official notice that the use of conduits as a covering for power cords is a conventional practice, and to provide a conduit to Spadaro, as is conventional would have been an obvious mechanical expedient to prevent damage of the cord.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spadaro in view of Gugel et al. Spadaro shows the claimed ladder with the exception of the outlet. Gugel shows an outlet at 274. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the ladder leg of Spadaro with an outlet, as taught by Gugel, to supply power adjacent to his ladder.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spadaro in view of Fawcett and Gugel et al as applied above, To use the assembly of Spadaro on the claimed step ladder, which the examiner takes official notice as being a standard step ladder construction, would have been obvious to one of

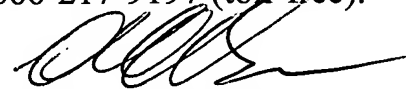
ordinary skill in the art to facilitate storage of the ladder. The examiner takes official notice that the use of conduits as a covering for power cords is a conventional practice, and to provide a conduit to Spadaro, as is conventional would have been an obvious mechanical expedient to prevent damage of the cord.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gugel et al in view of Fawcett and Kelpac. Gugel shows the claimed ladder with the exception of the claimed lighting assembly and the switch. Fawcett shows the claimed lighting assembly. Kelpac shows a switch 64 on an outlet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Gugel with a lighting assembly as taught by, Fawcett, to illuminate his work area, and to comprise a switch on his outlet, as taught by Kelpac, to selective provide power to his outlet. The examiner takes official notice that the use of conduits as a covering for power cords is a conventional practice, and to provide a conduit to Gugel, as is conventional would have been an obvious mechanical expedient to prevent damage of the cord. The examiner takes official notice that the claimed legs attachment is a conventional stepladder construction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the legs of Gugel to be connected to his deck as claimed, as is conventional, to facilitate storage.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin C. Chin-Shue whose telephone number is 571-272-6828. The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



Alvin C. Chin-Shue
Examiner
Art Unit 3634